

COUNCIL CHAMBERS - CITY COUNCIL
CITY HALL - CITY OF LODI
MONDAY, FEBRUARY 28, 1944

On call of the Mayor, a Special Meeting of the City Council of the City of Lodi was held beginning at 5:30 o'clock P.M. (P.M.T.) of Monday, February 28, 1944, Councilmen Coffield, Riggs, Spooner, Weihe and Mayor Rinn present. Glenn West, City Attorney and J. F. Blakely, City Clerk, also attending. Prior to the opening of the meeting, each Councilman signed a "Waiver of Notice and Consent to Special Meeting" in the following words:

WAIVER OF NOTICE AND CONSENT TO SPECIAL MEETING

State of California,)
County of San Joaquin,)
City of Lodi.) ss.

We, the undersigned, being all of the members of the City Council of the City of Lodi do hereby waive formal notice of a special meeting of said City Council to be held at 5:30 P.M. of Monday, February 28, 1944, (Pacific War Time) in the Council Chambers in the City Hall of said City and do hereby consent that such meeting be held for the purpose of:

Consider an offer in compromise of the pending suit of
The Pacific Telephone & Telegraph Company vs The City
of Lodi.

(Signed)

Robert H. Rinn, Councilman
W. J. Coffield, Councilman
W.E. Riggs, Councilman
W.A. Spooner, Councilman
Otto A. Weihe, Councilman

Attest:

J.F. Blakely, City Clerk.

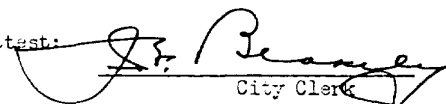
Mayor Rinn stated that, in as much as the trial of the case mentioned in the above waiver was set on the court calendar for March 6th, action on an offer in compromise would have to be taken at once.

City Attorney West explained his negotiations with the attorneys for the Telephone Company and their offer of a settlement, such offer being that the City pay to the Telephone Company one-half of the original judgement obtained by S.D. Emery, with no interest, that is, that the City pay the sum of \$16,148.01 and the Telephone Company would dismiss the suit. Mr West held out little hope that a decision in the pending case would be final and that costs of appeal, attorney's fees, interest and a final judgement might amount to as much as \$30,734.56.

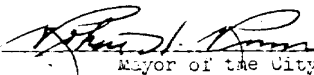
The City Council considered all angles of the case, the previous trials had in connection therewith and the still valid contract with the Telephone Company, finally deciding that the compromise offered should be accepted as being to the best interests of the City. Mr West was accordingly directed to telephone Pillsbury, Madison & Sutro, Attorneys for The Pacific Telephone & Telegraph Company accepting the offer and committing the City to make payment at the date of the first City Council meeting at which it would be legal to authorize such payment.

At 7:07 o'clock P.M., the special meeting was adjourned on motion of Councilman Weihe.

Attest:


City Clerk

The foregoing minutes of a special meeting of the City Council of the City of Lodi held February 28, 1944 were read and approved at a subsequent regular meeting of said City Council held March 1, 1944


Mayor of the City of Lodi

March 1, 1944